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HUNTER MOUNTAIN INVESTMENT
TRUST AND RAND PE FUND I, LP, SERIES 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	§	
	§	Chapter 11
HIGHLAND CAPITAL	§	
MANAGEMENT, L.P.,	§	Case No. 19–34054–sgj11
	§	
Reorganized Debtor.	§	
	§	
MARC S. KIRSCHNER, AS	§	
LITIGATION TRUSTEE	§	
OF THE LITIGATION SUB-TRUST,	§	
	§	Adversary Proceeding
Plaintiff,	§	No. 21-03076-sgj
v.	§	
	§	
JAMES D. DONDERO, et al.,	§	
	§	
Defendants.	§	

**DEFENDANTS’ HUNTER MOUNTAIN INVESTMENT TRUST
AND RAND PE FUND I, LP, SERIES 1’S NOMINAL JOINDER IN
MULTIPLE PENDING MOTIONS TO WITHDRAW THE REFERENCE**

Defendants’ Hunter Mountain Investment Trust (“HMIT”) and Rand PE Fund I, LP, Series 1 (“Rand” and together with HMIT, “HMIT Defendants”) files this *Nominal Joinder in Multiple Pending Motions to Withdraw the Reference* and would show the Court as follows:

1. Virtually every listed Defendant in the above referenced adversary proceeding has filed a *Motion to Withdraw the Reference* (see Docket Nos. 27/36/39/45/50/59) as to the litigation

that the underlying 134-page complaint initiated. Also being filed were multiple *Motions to Stay the Proceedings* (See Docket Nos. 29/30/38/41) while the issues relative to the *Motions to Withdraw the Reference* were addressed by both this Court and the U.S. District Court.

2. Because the setting secured on hearing certain aspects of the above was set after the previously stipulated response/answer deadline of February 21, 2022, those Defendants who filed *Motions to Withdraw the Reference* and *Motions to Stay the Proceedings* and the Plaintiff were able to enter into a *Stipulation Regarding Defendants' Motion to Withdraw the Reference* [Docket No. 65] (the “**Stipulation**”) and filed same on January 31, 2022 regarding addressing how certain of those matters would be taken up and further extending: a) the date by which the other Defendants may file their own *Motions to Withdraw the Reference*; b) response and briefing schedule as to the issues raised; c) status conference setting; and d) a general extension of all remaining deadlines in the *Initial Response & Briefing Schedule and the Scheduling Order* [Docket Nos. 21 and 22] for 30 days from their stated dates in those documents (the answer response date was February 21, 2022 and it is now March 23, 2022).

3. HMIT Defendants, out of an abundance of caution, generally join in the *Motions to Withdraw the Reference* identified above, since, as currently constructed, to the extent that the reference is withdrawn, it will be withdrawn for all Defendants regardless.

Dated: February 1, 2022.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 1, 2022, a true and correct copy of the foregoing document was electronically filed and served via electronic mail on the parties listed in the service list attached hereto.

/s/ E. P. Keiffer
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